IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE THE CHIEF JUSTICE MR.H.L.DATTU
&
THE HONOURABLE MR. JUSTICE P.N.RAVINDRAN

THURSDAY, THE 13TH DECEMBER 2007 / 22ND AGRAHAYANA 1929

WA.No. 2811 of 2007

AGAINST THE ORDER IN WPC.31415/2007 Dated 29/10/2007
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APPELLANTS/RESPONDENTS IN WPC:
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1. THE UNIVERSITY OF KERALA,
THIRUVANANTHAPURAM,
REPRESENTED BY THE REGISTRAR.

2. THE VICE CHANCELLOR,
THE UNIVERSITY OF KERALA,
THIRUVANANTHAPURAM.

BY ADV. SRI.M.RAJAGOPALAN NAIR

RESPONDENT/PETITIONER IN WPC:

K.P.M. B.ED. COLLEGE,
CHERIYANELLOR P.O.
KOLLAM,
REPRESENTED BY THE MANAGER & CHAIRMAN,
K.P.M.CHARITABLE TRUST,
K.MONY.

BY ADV.SRI.GEORGE POONTHOTTAM

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 13/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

H.L.DATTU, C.J. & P.N.RAVINDRAN, J.

W.A.No.2811 of 2007

Dated, this the 13th day of December, 2007

JUDGMENT

H.L.Dattu, C.J.

Aggrieved by the interim orders passed by the learned Single Judge in W.P.(C) No.31415 of 2007 dated 29th October, 2007, the University of Kerala is before us in this writ appeal.

2. The learned Single Judge while granting the interim prayer has only directed the University to grant provisional affiliation to the petitioner college within a particular time frame. The learned Judge has also made it clear that the authorities of the college would inform the students to be admitted in the college and that the affiliation granted is only provisional and their admission will be subject to further orders that will be passed in the writ petition.

3. Sri.M.Rajagopalan Nair, learned counsel appearing for the appellants, would submit that when the interim order was passed by the learned Judge, the college did not have the unconditional recognition by the NCTE and therefore, the learned Judge was not justified in granting the interim order.

4. During the pendency of this writ appeal, the college has obtained the unconditional recognition from the NCTE and in view of that, in our opinion, there is no impediment for the University now to comply with the interim orders and directions issued by a learned Judge of this Court.

5. Therefore, we dispose of the writ appeal as under:

Order

i) The University shall comply with the interim orders passed by this Court in W.P.(C) No.31415 of 2007 dated 29th October, 2007 within 15 days from today.

ii) The other conditions imposed by the learned Single Judge shall remain intact.

Ordered accordingly.

(**H.L.DATTU)**
CHIEF JUSTICE

(P.N.RAVINDRAN)
JUDGE

vns